UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.105/C.2/SR.561
14 April 1992

Original: ENGLISH

COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUBCOMMITTEE

Thirty-first session

SUMMARY RECORD OF THE 561st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 10 April 1992, at 10.30 a.m.

Chairman: Mr. MIKULKA (Czechoslovakia)

CONTENTS

Adoption of the report of the Legal Subcommittee

Closure of the session

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GE.92-61279/3644H

The meeting was called to order at 10.50 a.m.

ADOPTION OF THE REPORT OF THE LEGAL SUBCOMMITTEE (A/AC.105/C.2/L.190 and Adds.1-8)

A/AC.105/C.2/L.190/Add.2

1. Mr. GONZALEZ (Chile), speaking as Chairman of the Working Group on agenda item 5, introduced the Working Group's report and thanked all delegations which had taken part for their valuable contributions to its work.

2. The CHAIRMAN said that, if he heard no objection, he would take it that the Subcommittee wished to take note with appreciation of the report of the Chairman of the Working Group on agenda item 5 and to annex it to its report.

3. It was so decided.

A/AC.105/C.2/L.190/Add.6

4. Mr. FREUDENSCHUSS (Austria), speaking as Acting Chairman of the Working Group on agenda item 3, introduced the Working Group's report, which he commended to the Subcommittee for adoption, and thanked all who had taken part in the Working Group for their contributions.

5. The CHAIRMAN said that, if he heard no objection, he would take it that the Subcommittee wished to take note with satisfaction of the report of the Acting Chairman of the Working Group on agenda item 3 and to annex it to its report.

6. It was so decided.

A/AC.105/C.2/L.190/Adds.7 and 8

7. Mr. ZAWELS (Argentina), speaking as Chairman of the Working Group on item 4, said that the Working Group had held six substantive meetings, plus one in which to adopt its report, as well as a number of informal consultations.

8. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to take note with satisfaction of the report of the Chairman of the Working Group on agenda item 4 and to annex it to its report.

9. It was so decided.

A/AC.105/C.2/L.190

Paragraphs 1 and 2

10. Paragraphs 1 and 2 were adopted.

Paragraph 3

11. The CHAIRMAN said that the title of the paragraph should read: "adoption of the agenda".

12. Paragraph 3, as amended, was adopted.

Paragraphs 4 to 8

13. Paragraphs 4 to 8 were adopted.

Paragraphs 9 to 11

14. The CHAIRMAN said that paragraphs 9, 10 and 11 would be completed by the secretariat.

15. Paragraphs 9 to 11 were adopted on that understanding.

16. Document A/AC.105/C.2/L.190, as amended, was adopted.

A/AC.105/C.2/L.190/Add.5

Paragraphs 1 to 3.

17. Paragraphs 1 to 3 were adopted.

Paragraph 4

18. The CHAIRMAN proposed that the following text should be added at the end of paragraph 4:

> "As a result of those informal consultations, the Chairman proposed and the Subcommittee agreed that, at its next session, in 1993, the Subcommittee should adopt the following additional measures:
>
> (a) The Subcommittee should seek to reduce, by one a week, the number of morning plenary meetings and to allocate the time saved for the meetings of relevant working groups. For this purpose, the Chairman should set a deadline for closing lists of speakers for the general exchange of views and for each of the substantive agenda items.
>
> (b) The Subcommittee and its working groups should begin their morning meetings at 10 a.m.
>
> The Subcommittee also agreed to continue actively its efforts aimed at ensuring optimum efficiency of its work".

19. Mr. KHABIROV (Russian Federation) said that his delegation had no objection to paragraph 4 or to the addition proposed by the Chairman. During the informal consultations, however, a number of delegations had expressed the view that the change in the time of morning meetings from 10.30 a.m. to 10 a.m. should not lead to a reduction in the length of the Subcommittee's sessions. The proposed addition should be amended to reflect that position.

20. Mr. RASHKOW (United States of America) said that it was his delegation's understanding that the change in the time of meetings was not related to or intended to affect the length of sessions, no matter whether items were added to or removed from the agenda in future.

21. Mr. KHABIROV (Russian Federation) said that his delegation agreed with that view.

22. Mr. RAO (India) said that, in his delegation's opinion, the proposed subparagraph (b) was not meant as an adverse comment on the functioning of the Subcommittee at the current session or at any past sessions and was not related to or intended to affect the length of future sessions. In a constructive spirit and with reference to the relevant General Assembly resolutions, if the Subcommittee decided to take certain steps, such as that proposed, in order to enhance its efficiency, his delegation would not stand in the way of a consensus.

23. The CHAIRMAN proposed that subparagraph (b) should be amended to read:

> "(b) The Subcommittee and its Working Groups should begin their morning meetings at 10 a.m., on the understanding that this does not relate to the question of the length of the session".

24. Mr. RASHKOW (United States of America) said that the text of subparagraph (b) did not entirely reflect his delegation's views, as earlier expressed and supported by the delegation of the Russian Federation. He therefore proposed that the text should be amended to read:

> "(b) The Subcommittee and its Working Groups should begin their morning meetings at 10 a.m., on the understanding that this does not relate to and does not affect the length of the session".

25. It was so decided.

26. Paragraph 4, as amended, was adopted.

Paragraph 5

27. Mrs. CLAUWAERT (Venezuela) proposed that the following text should be added at the end of paragraph 5 to reflect her delegation's views:

> "In this connection, one delegation recalled that, in the Conference on Disarmament, its country had proposed an amendment to article IV of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, with a view to expanding its scope to provide for a total prohibition on weapons in outer space, thereby guaranteeing the peaceful use of that area".

28. It was so decided.

29. Paragraph 5, as amended, was adopted.

Paragraph 6

30. Paragraph 6 was adopted.

New paragraph 6 bis

31. Mr. KHABIROV (Russian Federation) proposed that the following new paragraph 6 bis should be added:

> "Taking into account the results of the work under other agenda items, the Subcommittee will, at its future sessions, consider the possibility of including the question of manned space flights in its agenda".

32. Mr. RASHKOW (United States of America) said that, although such a matter might be included in the Subcommittee's agenda at some time in the future, his delegation was of the opinion that it was inappropriate at present to focus on the consideration of one particular item.

33. Mr. KHABIROV (Russian Federation) said that, in order to take account of the view of the United States representative, his proposal should be amended to read:

> "In the view of some delegations, the question of manned space flights could be a subject for consideration by the Subcommittee in the future".

34. It was so decided.

35. New paragraph 6 bis, as amended, was adopted.

New paragraph 6 ter

36. Ms. GARCIA GUERRA (Mexico) proposed that the following new paragraph 6 ter should be added:

> "During the general exchange of views, some delegations referred to the threat posed by space debris to man's future activities in space. Those delegations stated that an international agreement or treaty focusing specifically on space debris might be necessary and that it would therefore be necessary to settle a number of legal issues, such as the definition of space debris, jurisdiction and monitoring of space debris and liability for damage caused by space debris. In this connection, they stated that they considered it advisable for the Committee on the Peaceful Uses of Outer Space and its two Subcommittees to start considering all of the technical, legal and political issues relating to space debris".

37. Mr. KOPAL (Czechoslovakia) said that he supported the proposed new paragraph, but suggested that the words "or treaty" should be deleted, as they were superfluous.

38. It was so decided.

39. New paragraph 6 ter, as amended, was adopted.

Paragraphs 7 and 8

40. Paragraphs 7 and 8 were adopted.

41. Document A/AC.105/C.2/L.190/Add.5, as amended, was adopted.

A/AC.105/C.2/L.190/Add.3

Paragraphs 1 to 6

42. Paragraphs 1 to 6 were adopted.

Paragraph 7

43. Mr. TETU (Canada) proposed that the following sentence should be added at the end of the paragraph: "The Subcommittee agreed that the working non-papers contained in the above-mentioned report might be considered at the next session of the Committee on the Peaceful Uses of Outer Space as a contribution to meeting the aim set out in General Assembly resolution 46/45 for finalizing the principles on nuclear power sources".

44. It was so decided.

45. Paragraph 7, as amended, was adopted.

46. Document A/AC.105/C.2/L.190/Add.3, as amended, was adopted.

A/AC.105/C.2/L.190/Add.4

47. Document A/AC.105/C.2/L.190/Add.3 was adopted.

A/AC.105/C.2/L.190/Add.1

48. Document A/AC.105/C.2/L.190/Add.1 was adopted.

49. The report of the Subcommittee, as a whole, as amended, was adopted.

CLOSURE OF THE SESSION

After an exchange of courtesies, the CHAIRMAN declared the session closed.

The meeting rose at 12.05 p.m.